

## Message Text

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PAGE 01 STATE 011009  
ORIGIN EB-07

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L/EB - JCROOK (SUBS)  
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R 180035Z JAN 77  
FM SECSTATE WASHDC  
TO AMEMBASSY THE HAGUE  
INFO AMCONSUL CURACAO

UNCLAS STATE 011009

E.O. 11652: N/A

TAGS: EIND, NA, NL

SUBJECT: COPYRIGHT PROTECTION IN THE NETHERLANDS ANTILLES

REF: A) 76 STATE A-4672; B) 76 THE HAGUE 5908

1. RE PARA 3, REF B, DEPARTMENT AGREES THAT A FORMAL NOTE  
WOULD BE IN ORDER. AS THE DUTCH HAVE HAD A GREAT DEAL OF  
EXPERIENCE IN THE APPLICATION OF INTERNATIONAL CONVENTIONS  
TO DEPENDENT TERRITORIES, THE NOTE NEED ONLY RAISE THE  
PROBLEM IN A GENERAL WAY AND REQUEST THE NECESSARY ACTION.

2. THE NOTE SHOULD INCLUDE THE FOLLOWING POINTS:

-- A) THE UNITED STATES AND THE KINGDOM OF THE NETHER-  
LANDS FIRST ESTABLISHED COPYRIGHT RELATIONS ON NOVEMBER  
20,899, BY BILATERAL TREATY. ON JUNE 22, 1967, OUR  
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PAGE 02 STATE 011009

COPYRIGHT RELATIONS WERE MODERNIZED WHEN THE NETHERLANDS  
RATIFIED THE UNIVERSAL COPYRIGHT CONVENTION WHICH WAS  
NEGOTIATED IN GENEVA IN 1952. THE UNITED STATES HAD  
RATIFIED THE UNIVERSAL COPYRIGHT CONVENTION ON SEPTEMBER  
16, 1955.

-- B) RECENTLY THE UNITED STATES GOVERNMENT BECAME AWARE

THAT U.S. AUTHORS WERE NOT RECEIVING COPYRIGHT PROTECTION

IN THE NETHERLANDS ANTILLES, SPECIFICALLY IN ARUBA. THE MOST RECENT INFORMATION AVAILABLE TO THE UNITED STATES GOVERNMENT INDICATES THAT THE KINGDOM OF THE NETHERLANDS HAS NOT YET TAKEN THE NECESSARY STEPS TO EXTEND APPLICATION OF THE UNIVERSAL COPYRIGHT CONVENTION TO ITS OVERSEAS TERRITORIES. SINCE THE NETHERLANDS IS RESPONSIBLE FOR THE FOREIGN RELATIONS OF THESE OVERSEAS TERRITORIES, THE LEGAL FORMALITIES NECESSARY TO GIVE EFFECT TO THE UNIVERSAL COPYRIGHT CONVENTION WOULD HAVE TO BE UNDERTAKEN BY THE DUTCH GOVERNMENT.

-- C) IN VIEW OF THIS SITUATION, WE BELIEVE IT WOULD BE HELPFUL IF THE DUTCH GOVERNMENT WOULD TAKE THE NECESSARY STEPS TO PROVIDE COPYRIGHT PROTECTION FOR U.S. AUTHORS IN THE NETHERLANDS ANTILLES. INDEED, THE UNITED STATES ALREADY PROTECTS DUTCH AUTHORS UNDER THE UNIVERSAL COPYRIGHT CONVENTION NOT ONLY IN THE UNITED STATES BUT ALSO IN THE TERRITORIES OF PUERTO RICO, THE VIRGIN ISLANDS AND GUAM. WE WOULD APPRECIATE THE DUTCH GOVERNMENT INFORMING US OF THE EXISTING STATE OF COPYRIGHT PROTECTION AVAILABLE IN ITS OVERSEAS TERRITORIES AND OF ANY PLANS TO EXTEND THE EFFECT OF THE UNIVERSAL COPYRIGHT CONVENTION TO THEM.

3. THE DEPARTMENT WOULD APPRECIATE THE EMBASSY PUTTING THE ABOVE IN THE APPROPRIATE FORMAT.

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PAGE 03 STATE 011009

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## Message Attributes

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